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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,811	07/24/2001	Giuseppe Badalucco	Q65551	3933
7590 05/17/2005 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			EXAMINER JAIN, RAJ K	
			ART UNIT 2664	PAPER NUMBER

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/910,811

Applicant(s)

BADALUCCO ET AL.

Examiner

Raj K Jain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Claims 1-11 examined on the merits.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Field et al (U.S. Patent 006778529B1).

Regarding claims 1 and 11, Field discloses a transport interface (16, Fig 1) for time division frames, in particular SDH frames (col 5 lines 55-65), being transmitted between network nodes (14,18, Fig 1) according to a specified transport protocol (Figs 1, 2, col 5 line 55-65. The switch core (44, Fig 2) provides the transport interface between customer (42a) and network (42b) line cards via internal interfaces (50). The traffic communicated thru the switch core is TDM and/or SDH traffic.)

- said nodes (14, Fig 1 and 42a, Fig2) comprising first circuit means for processing said time division frames according to said specified transport protocol (see Fig 1. Nodes (14, Fig 1) use a specified protocol such as Ethernet, Voice over IP, etc

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for transport of the TDM frames, the line cards (40, Fig 2) within the nodes (14) perform the processing, administration and management of cells based on a given transport protocol, see col 6 lines 32-45,),

- and second circuit means (nodes 18, Fig 1) for exchanging second information streams (22) with said first circuit means (node 14, Fig 1) through said transport interface (44, Fig 2) (see Figs 1 and 2, col 6 lines 32-60. The network line card 42b serves as the second circuit means for exchanging information or data with the first circuit means with the customer line card 42a between the transport interface (50) between the respective line cards),

- wherein it comprises circuitry for structuring said second information streams as a data stream, sent in a co- directional way (22, Fig 1), and an address information (Fig 1, the connection (22) serves as co-direction information stream between second circuit (18) and first circuit means (14), furthermore, the line cards (40, Fig 2) examine and map the source and destination addresses as appropriate, see col 6 lines 43-46).

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Regarding claims 2, 6 and 7, Field discloses enable information of the exchange of the second information streams (Fig 4, col 10 lines 35-40. The enable signal is part of the control signal messaging requests which is used for operation and status control of the line card in conjunction with the address information.)

Regarding claim 3, Field discloses sending the data stream and address information with a reciprocal time delay (see col 22 lines 6-15).

Regarding claim 4, Field discloses a transmitter for sending a data stream (22, Fig1), extracted from the time division frame, and first address information (14, Fig 1). The node 14 send its information to intermediate network nodes 18 with the first address information incorporated within the TSB Frame see Fig 4).

Regarding claim 5, Field discloses a receiver (18, Fig1) for receiving a data (22) stream originated by the second circuit means and for sending second address information to said second circuit means (Fig 1, The nodes 18 compile and process address information using VPI/VCI connection methods see col 6 lines 35- 38).

Regarding claim 8, Field discloses instance of ATM data stream, comprises a synchronism signal (col 5 lines 55-65), utilized by said second circuit means for marking the start of ATM cells and/or an alarm bit TSF for the second circuit means (Fig 6, col 11 line 62 – col 12 line 5. The B channels with DS1 serves as the alarm bit, which the second circuit means may use as the alarm bit).

Regarding claim 9, Field discloses an ATM data stream, comprising a signal for the first circuit means, for marking the correct bit of payload start, for a correct handling in the first circuit means of the information transported by the payload (252, Fig 11, CP1 marks the start of the payload bit to CP48 which marks the end of the cell payload 252, see col 16 lines 6-23).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Field et al (U.S. Patent 006778529B1) hereinafter as Field as applied to claim 1 above, and further in view of Kulkarni et al (US006414966B1) hereinafter as Kulkarni.

Field discloses a transport interface (16, Fig 1) for time division frames, in particular SDH frames (col 5 lines 55-65), being transmitted between network nodes (14,18, Fig 1) according to a specified transport protocol (Figs 1, 2, col 5 line 55-65).

Field fails to disclose or suggest implementation of ASCII and FPGA circuits.

Kulkarni discloses implementation of ASCII and FPGA circuits (abstract). Linecode mapping implemented within Kulkarni using the ASCII or FPGA circuits which directly maps/demaps Ethernet packets to SONET data and SONET data to Ethernet packets (see col 1 lines 42- 60).

Therefore it would have been obvious to one of ordinary skill in the arts at the time the invention was made include the teaching of Kulkarni within Field so as include an FPGA and/or ASIC circuits within Field for the purpose of mapping and demapping packets as appropriate.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

A handwritten signature in black ink, appearing to read "R. Jain". The signature is written in a cursive, flowing style.

RJ  
April 21, 2005